

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KEVIN LAMONT MARSHALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:21-CV-1500 RLW
	)	
MICHAEL L. PARSON, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's motion for extension of time to file a notice of appeal. Plaintiff asserts that he is requesting additional time because he will be unable to get a copy of his certified account statement from the Inmate Finance Office in Jefferson City, Missouri within the allotted time frame.

Rule 4(a)(5)(A) of the Federal Rules of Appellate Procedure allows this Court to extend the time for filing a notice of appeal if "a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires," and the party shows "excusable neglect or good cause." Fed. R. App. P. 4(a)(5)(A). "No extension under . . . Rule 4(a)(5) may exceed thirty (30) days after the prescribed time or 14 days after the date when the order granting the motion is entered, whichever is later." Fed. R. App. P. 4(a)(5)(C). The United States Court of Appeals for the Eighth Circuit has counseled that pro se appellants may be given special consideration regarding their notices of appeal. *Weekley v. Jones*, 927 F.2d 382, 386 (8th Cir. 1991).

The Court dismissed plaintiff's case pursuant to 28 U.S.C. § 1915(e) on March 14, 2022. Under Rules 4(a)(1)(A) and 25(a)(2)(C) of the Federal Rules of Appellate Procedure, plaintiff's

notice of appeal was due to be placed in the mail system at Jefferson City Correctional Center (“JCCC”) no later than April 13, 2022.

Plaintiff placed his motion for extension of time in JCCC’s mail system on March 22, 2022. As a result, plaintiff’s motion was timely filed. In addition, the Court finds plaintiff has shown good cause for granting the motion for extension of time. Plaintiff’s motion will therefore be granted. The Court will extend the time for filing plaintiff’s notice of appeal until May 13, 2022.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff’s motion for extension of time to file a notice of appeal [ECF No. 9] is **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff shall file his notice of appeal, should he wish to do so, no later than **May 13, 2022**.

Dated this 31st day of March, 2022.

A handwritten signature in cursive script that reads "Ronnie L. White". The signature is written in black ink and is positioned above a horizontal line.

**RONNIE L. WHITE**  
**UNITED STATES DISTRICT JUDGE**